

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

PARAMOUNT PICTURES CORP.,)
)
Plaintiff,)
)
v.)
)
ELIZABETH MUMM,)
)
Defendant.)

8:06CV382

ORDER

This matter is before the court *sua sponte*, pursuant to NECivR 41.1, which states in pertinent part: "The court may at any time dismiss an action for lack of prosecution when it appears it is not being prosecuted with reasonable diligence." The record reveals the complaint was filed on May 25, 2006, and service of the summons was executed on the defendant on June 9, 2006. **See** Filing Nos. 1 & 7. It remains the plaintiff's duty to go forward in prosecuting the case by, for example, filing a motion for the Clerk's entry of default pursuant to Fed. R. Civ. P. 55 and NECivR 55.1(a). Upon consideration,

IT IS ORDERED:

The plaintiff shall show cause why this case should not be dismissed for failure to prosecute. The showing of cause shall be filed electronically on or before the close of business **on September 7, 2006**.

DATED this 24th day of August, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge